



House of Representatives

File No. 644

General Assembly

February Session, 2012

(Reprint of File No. 397)

Substitute House Bill No. 5467
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 5, 2012

AN ACT CREATING A WORKFORCE TO MAKE IMPROVEMENTS AROUND CONNECTICUT'S PUBLIC AIRPORTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13b-50a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 The following initiatives shall be established to preserve
4 Connecticut's licensed privately owned, publicly used airports which
5 have a paved runway and a minimum of five thousand operations per
6 year: (1) The state shall have the right of first refusal to purchase, via
7 fair market value and state property acquisition procedures, an airport,
8 if that airport is threatened with sale or closure, for the express
9 purpose of preserving the airport; (2) the Commissioner of
10 Transportation may acquire the development rights, based on fair
11 market value for such rights, of such airports, provided the airport
12 remains a public airport; (3) the state shall fund capital improvements
13 to private airports, in which case the state shall participate in ninety
14 per cent of the eligible costs and the balance by the sponsor, with
15 budget and priorities to be determined by the Department of

16 Transportation, and engineering in accordance with Federal Aviation
17 Administration Advisory Circulars; and (4) the establishment of a new
18 airport zoning category for the airport's imaginary surfaces as defined
19 by Federal Aviation Regulations [. Development within these surfaces
20 shall require notices for proposed construction and a federal
21 determination of obstructions. Construction of obstructions deemed
22 hazardous to navigation shall not be allowed] and a program to
23 mitigate noise in airport neighborhoods in which the noise exceeds
24 applicable Federal Aviation Administration standards. Such program
25 may be combined with existing energy conservation programs.
26 Funding for such program shall be from available federal resources.

27 Sec. 2. (NEW) (*Effective July 1, 2012*) The Department of
28 Transportation, in consultation with the Labor Department and the
29 Department of Veterans' Affairs, shall, in administering the program
30 established pursuant to subdivision (4) of section 13b-50a of the
31 general statutes, as amended by this act, set aside not less than thirty
32 per cent of the projects or contracts for such program for veterans with
33 service in time of war, as defined in subsection (a) of section 27-103 of
34 the general statutes, except that for the purposes of this section,
35 "service in time of war" shall not include time spent in training. To be
36 eligible for such set aside, the contracting entity shall be a veteran
37 certified in weatherization and insulation techniques through a
38 training program funded by the American Recovery and Reinvestment
39 Act of 2009, or a company that employs such certified veterans.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2012</i>	13b-50a
Sec. 2	<i>July 1, 2012</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Department of Transportation	TF - None	None	None

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill establishes a program using Federal Aviation Administration standards to mitigate noise in airport neighborhoods and specifies the program shall use federal funds available. The bill also requires the Department of Transportation to administer the program and set aside not less than 30% of projects for veterans or a company that employees certified veterans. To the extent federal funds are available; there will be no cost to the Department of Transportation to administer the program.

House "A" strikes the underlying bill and its associated fiscal impact, and results in the impact described above.

OLR Bill Analysis**sHB 5467 (as amended by House "A")******AN ACT CREATING A WORKFORCE TO MAKE IMPROVEMENTS
AROUND CONNECTICUT'S PUBLIC AIRPORTS*****SUMMARY:**

Current law authorizes several initiatives for preserving the state's licensed, privately-owned airports that have paved runways and conduct at least 5,000 operations per year. The initiatives include establishing an airport zoning category for Federal Aviation Administration- (FAA) defined "imaginary surfaces," areas that extend upward and outward from runways where obstructions deemed hazardous to navigation are prohibited.

This bill adds to these initiatives the requirement that noise mitigation programs be established in those neighborhoods where noise levels exceed applicable FAA standards and that the programs be funded with available federal dollars. The bill allows the programs to be combined with energy conservation programs.

The bill also requires the Department of Transportation (DOT) to set aside at least 30% of the noise mitigation projects or contracts for veterans who served during wars. DOT must do this in consultation with the Labor and Veteran Affairs departments. It can award the contracts to veterans meeting the bill's eligibility criteria or to businesses that employ them.

Veterans qualify for a set-aside contract based on the length of time spent in the service, minus the time spent training. A veteran qualifies if he or she (1) served in a time of war for at least 90 days or the entire war if it lasted less than 90 days; veterans who served for shorter time

periods qualify only if they were separated from service due to a disability connected to their service and (2) has been certified in weatherization and insulation techniques through a program funded under the federal American Recovery and Reinvestment Act.

*House Amendment "A" eliminates the provisions in the underlying bill requiring environmental assessments and environmental compatibility planning in the airport zones and replaces them with the provisions authorizing noise reduction and energy conservation programs in airport neighborhoods.

EFFECTIVE DATE: July 1, 2012

BACKGROUND

Private Airport Preservation Initiatives

Besides establishing an airport zoning category for FAA-defined imaginary surfaces, the law:

1. gives the state a right of first refusal to purchase, for fair market value, any airport solely to preserve it if threatened with sale or closure;
2. authorizes the Department of Transportation to acquire an airport's development rights for fair market value as long as the airport remains open to the public; and
3. authorizes 90% state funding for eligible capital improvements at private airports, as determined by the transportation commissioner.

COMMITTEE ACTION

Commerce Committee

Joint Favorable

Yea 17 Nay 0 (03/27/2012)

Appropriations Committee

Joint Favorable

Yea 52 Nay 0 (04/23/2012)

Transportation Committee

Joint Favorable

Yea 30 Nay 0 (04/30/2012)

Environment Committee

Joint Favorable

Yea 22 Nay 2 (05/03/2012)